

TRANSMITTAL LETTER			Case No. 56/361
Serial No. 10/008,371	Filing Date December 6, 2001	Examiner Not Assigned	Group Art Unit 2622
Inventor(s) Erich Strasser			
Title of Invention METHOD FOR THE FUNCTIONAL CONTROL OF A POSITION MEASURING SYSTEM AND POSITION MEASURING SYSTEM FOR EXECUTING THE METHOD			

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ATENT & TRADEMARK OFFICE

TO THE COMMISSIONER FOR PATENTS

Transmitted herewith is Copy of Notice To File Missing Parts Of Nonprovisional Application Filed Under 37 CFR 1.53(b)
Filing Date Granted; Declaration and Power of Attorney For Patent Application; Assignment Cover Sheet; Assignment, and post

- Small entity status of this application under 37 CFR § 1.27 has been established by verified statement previously submitted.
- A statement to establish small entity status under 37 CFR §§ 1.9 and 1.27 is enclosed.
- Petition for a two (2) month extension of time.
- No additional fee is required.
- The fee has been calculated as shown below:

	Claims Remaining After Amendment		Highest No. Previously Paid For	Present Extra
Total		Minus		
Indep.		Minus		
First Presentation of Multiple Dep. Claim				

Small Entity		or	Other Than Small Entity	
Rate	Add'l Fee		Rate	Add'l Fee
x \$9=			x \$18=	
x \$42=			x \$84=	
+\$140=			+\$280=	
	Total add'l fee	\$		total add'l fee \$

- Please charge Deposit Account No. 23-1925 (BRINKS HOFER GILSON & LIONE) in the amount of \$_____. A duplicate copy of this sheet is enclosed.
- A check in the amount of \$870.00 to cover the filing fee of \$740.00 and surcharge of \$130.00 is enclosed.
- Two checks (check no. 294853 for \$110.00 and check no. 295771 for \$290.00) in the amount of \$400.00 to cover the extension fee is enclosed.
- A check in the amount of \$40.00 to cover the assignment recordal filing fee is enclosed.
- The Commissioner is hereby authorized to charge payment of any additional filing fees required under 37 CFR § 1.16 and any patent application processing fees under 37 CFR § 1.17 associated with this communication or credit any overpayment to Deposit Account No. 23-1925. A duplicate copy of this sheet is enclosed.
- I hereby petition under 37 CFR § 1.136(a) for any extension of time required to ensure that this paper is timely filed. Please charge any associated fees which have not otherwise been paid to Deposit Account No. 23-1925. A duplicate copy of this sheet is enclosed.

Respectfully submitted,


 John C. Freeman
 Registration No. 34,483
 Attorney for Applicant

BRINKS HOFER GILSON & LIONE
 P.O. BOX 10395
 CHICAGO, ILLINOIS 60610
 (312) 321-4200

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, with sufficient postage, in an envelope addressed to: The Commissioner for Patents, United States Patent and Trademark Office, Washington, D.C. 20231, on April 8, 2002.

Date: April 8, 2002 Signature: JLF



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
 UNITED STATES PATENT AND TRADEMARK OFFICE
 WASHINGTON, D.C. 20231
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/008,371	12/06/2001	Erich Strasser	56/361



JOHN C. FREEMAN
 BRINKS HOFER GILSON & LIONE
 P.O. BOX 10395
 CHICAGO, IL 60610

CONFIRMATION NO. 4363
FORMALITIES LETTER



OC000000007248056

Date Mailed: 01/02/2002

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given TWO MONTHS from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
Applicant must submit \$ 740 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).
- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 870.**

*A copy of this notice **MUST** be returned with the reply.*

John J. Herg

Customer Service Center

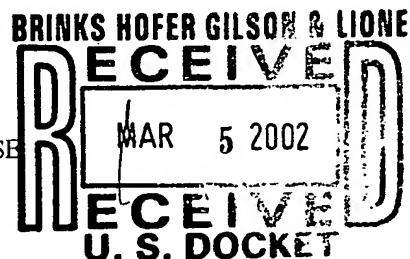
Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

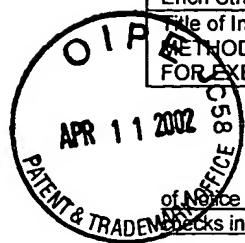
04/12/2002 MBERHE 00000034 10008371

01 FC:101
 02 FC:105

740.00 OP
 130.00 OP



TRANSMITTAL LETTER			Case No. 56/361
Serial No. 10/008,371	Filing Date December 6, 2001	Examiner Unassigned	Group Art Unit 2622
Inventor(s) Erich Strasser	Title of Invention METHOD FOR THE FUNCTIONAL CONTROL OF A POSITION MEASURING SYSTEM AND POSITION MEASURING SYSTEM FOR EXECUTING THE METHOD		



TO THE COMMISSIONER FOR PATENTS

Transmitted herewith is Request For Refund under 37 C.F.R. § 1.26 For Refund Of Two Month Extension Fee with copies of Notice To File Missing Parts of Nonprovisional Application (Tab 1), Petition And Fee For Extension Of Time (37 CFR § 1.136(a) and two checks in the amount of \$110 and \$290 to cover the extension fee of \$400 (Tab 2), and post card

- Small entity status of this application under 37 CFR § 1.27 has been established by verified statement previously submitted.
- A statement to establish small entity status under 37 CFR §§ 1.9 and 1.27 is enclosed.
- Petition for a _____ month extension of time.
- No additional fee is required.
- The fee has been calculated as shown below:

	Claims Remaining After Amendment		Highest No. Previously Paid For	Present Extra	Small Entity		Other Than Small Entity	
					Rate	Add'l Fee	Rate	Add'l Fee
Total		Minus			x \$9=		x \$18=	
Indep.		Minus			x \$42=		x \$84=	
First Presentation of Multiple Dep. Claim					+\$140=		+\$280=	
					Total add'l fee	\$	total add'l fee	\$

- Please charge Deposit Account No. 23-1925 (BRINKS HOFER GILSON & LIONE) in the amount of \$ _____. A duplicate copy of this sheet is enclosed.
- A check in the amount of \$130.00 to cover the petition fee is enclosed.
- The Commissioner is hereby authorized to charge payment of any additional filing fees required under 37 CFR § 1.16 and any patent application processing fees under 37 CFR § 1.17 associated with this communication or credit any overpayment to Deposit Account No. 23-1925. A duplicate copy of this sheet is enclosed.
- I hereby petition under 37 CFR § 1.136(a) for any extension of time required to ensure that this paper is timely filed. Please charge any associated fees which have not otherwise been paid to Deposit Account No. 23-1925. A duplicate copy of this sheet is enclosed.

Respectfully submitted,


 John C. Freeman
 Registration No. 34,483
 Attorney for Applicant

BRINKS HOFER GILSON & LIONE
 P.O. BOX 10395
 CHICAGO, ILLINOIS 60610
 (312) 321-4200

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, with sufficient postage, in an envelope addressed to: The Commissioner for Patents, Washington, D.C. 20231, Attn: Refund Section, Accounting Division, Office of Finance, on April 8, 2002.

Date: April 8, 2002 Signature: J.C. Freeman



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deposited with the United States Postal Service with sufficient postage as
first class mail in an envelope addressed to:
Commissioner for Patents, Washington,
D.C. 20231 on April 8, 2002.

Name of Registered Representative:

John C. Freeman, Reg. No. 34,483

April 8, 2002

Date of Signature

PATENT
CASE NO. 56/361

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application:)
Erich Strasser)
Serial No.: 10/008,371) Group Art Unit: 2622
Filed: December 6, 2001) Examiner: unassigned
For: METHOD FOR THE)
FUNCTIONAL CONTROL OF A)
POSITION MEASURING SYSTEM))
AND POSITION MEASURING)
SYSTEM FOR EXECUTING)
THE METHOD)

**REQUEST FOR REFUND UNDER 37 C.F.R. § 1.26 FOR REFUND
OF TWO MONTH EXTENSION FEE**

Commissioner for Patents
Washington, D.C. 20231
Attn: Refund Section, Accounting Division,
Office of Finance

Dear Sir:

On January 2, 2002, a Notice to File Missing Parts of Nonprovisional Application ("the Notice") was mailed by the U.S. Patent Office regarding the above identified application. As shown by the copy of the Notice located at Tab 1, the Notice was received by the undersigned's firm on March 5, 2002, which is more than two months after the initial mailing of the Notice. Upon receipt of the Notice, the undersigned took steps to have the inventor in Germany execute the Declaration. The undersigned received the executed Declaration on April 4, 2002.

Your Petitioner is filing concurrently with the present Petition a Response to the Notice that includes a Petition for a two month extension of time and checks in the amount of \$110 and \$290 to cover the extension fee of \$400. Copies of the Petition for a two month extension of time and the two checks totaling \$400 are attached at Tab 2. Your Petitioner believes that they should not have to pay any extension fees for filing the Response to the Notice since the Notice was received after the two month extendible deadline of March 2, 2002 for filing a Response to the Notice had lapsed. It would be unfair to penalize your Petitioner for a delay that it did not cause. Accordingly, your Petitioner requests a refund in the amount of \$400 and that the refund be credited to the undersigned's firm's deposit

account 23-1925. Applicant also requests a refund of the \$ 130 petition fee being filed concurrently with the present Petition.

Respectfully submitted,



John C. Freeman
Registration No. 34,483
Attorney for Petitioner

BRINKS HOFER
GILSON & LIONE
P.O. Box 10395
Chicago, Illinois 60610
(312) 321-4200

Dated: April 8, 2002

BRINKS HOFER
GILSON & LIONE

A PROFESSIONAL CORPORATION

NBC TOWER

455 NORTH CITYFRONT PLAZA DRIVE, SUITE 3600
CHICAGO, IL 60611-5599

2-157710

THE NORTHERN TRUST COMPANY
CHICAGO, ILLINOIS 60675

294853 294853

03/22/02

PAY:

TO THE COMMISSIONER OF PATENTS AND TRADEMARKS
ONE HUNDRED TEN AND 00/100 DOLLARS

OF

BRINKS HOFER
GILSON & LIONE

\$ * * * * * \$ 110.00

AMOUNT

\$ * * * * * \$ 290.00

PAY:

TWO HUNDRED NINETY AND 00/100 DOLLARS

TO THE
COMMISSIONER OF PATENTS AND TRADEMARKS
ORDER
OF

BRINKS HOFER
GILSON & LIONE

\$ 290.00

AMOUNT

\$ * * * * * \$ 290.00

BRINKS HOFER
GILSON & LIONE

A PROFESSIONAL CORPORATION

295771 295771

THE NORTHERN TRUST COMPANY
CHICAGO, ILLINOIS 60675
2-157710

455 NORTH CITYFRONT PLAZA DRIVE, SUITE 3600
CHICAGO, IL 60611-5599

04/05/02

Security features included. Details on back.